



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,152	11/16/1999	TOSHIHIRO SHIMA	04783.010001	5476

22511 7590 10/02/2002

ROSENTHAL & OSHA L.L.P.  
1221 MCKINNEY AVENUE  
SUITE 2800  
HOUSTON, TX 77010

EXAMINER
----------

NGUYEN, MADELEINE ANH VINH

ART UNIT	PAPER NUMBER
----------	--------------

2622

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/442,152

Applicant(s)

SHIMA, TOSHIHIRO

Examiner

Madeleine AV-Nguyen

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dubbels et al (US Patent No. 6,222,634) in view of Huttenlocher et al (US Patent No. 6,011,905)..

Concerning claim 1, Dubbels et al discloses a printer system (Fig.5) comprising a first request means (210) which makes a first request for obtaining a resource from a server (610, Fig.6); listing means (540) for determining a list of the resource based on the response from the server (630; Fig.6; Figs.7-8; col. 8, lines 1-38); setting means (540) for setting pages to be printed based on the structure of the determined source (col. 7, lines 16-17); second request means (550) which makes a second request for obtaining structural data within the set pages to be printed (col. 7, lines 17-20); means (560) for generating print data based on the second response; and printing means (printer) for printing based on the generated print data (.

Dubbels fails to teach a structure means for determining a structure of the resource. However, Dubbels teaches a list of web pages, generally written in Hypertext Markup Language (HTML), for the user to select what pages to print. From Fig.7, a list of information resource in different formats such as graphical interface GIF and JPG, and links 740 and 750 allowing a user to go to these related web pages. When all the related links are passed and a list of related links is built, a display 800 results (Fig.8) which includes a list 810 of related links and a button 820

Art Unit: 2622

for the user to select pages to be printed (col. 8, lines 1-38). Huttenlocher et al teaches in the Background of the Invention that HTML allows markup of the structure of the document (col. 1, line 66 – col. 2, line 20). It would have been obvious to one skilled in the art at the time the invention was made to consider Dubbels teaches the determination of the structure of the resource based on the teaching of Huttenlocher since both of them teach the use of the HTML while Dubbels teaches in Figs. 7-8, the information equivalent to the structure of the resource.

Concerning claims 2-3, Dubbels et al fails to teach a judgment means for judging the data format of the structural data and whether the structural data is printable data. However, Dubbels teaches that when web server 220 receives a web page request, it will build a web page in HTML and send it off across the Internet 170 to the requesting web browser 210. Web browser 210 understands HTML and interprets it and outputs the web page to the monitor of user workstation 200 wherein the web page may contain text, graphics, and links (col. 3, lines 8-18). Fig. 7 shows different formats that the web browser has to judge in order to convert them into printable data (col. 8, lines 1-38). It would have been obvious to one skilled in the art at the time the invention was made to consider the system at the web client includes a judging means for judging the data format of the structural data since the web browser 210 interprets it in different formats and outputs the web page to the monitor (col. 2, lines 60-62; col. 3, lines 13-18; col. 4, line 61 – col. 5, line 5; col. 8, lines 55-64).

Concerning claims 4-5, 11-12, Dubbels fails to teach that the data format is moving picture data and the second request means obtains the structural data with the offset value from the top position of the resource. Huttenlocher et al teaches that “HTML provides somewhat more flexibility than ASCII, in that it supports embedded graphics, images, audio and video

Art Unit: 2622

recordings, and hypertext linking capabilities.” (col. 2, lines 2-5). Huttenlocher further teaches a structural document with an imaginary nonempty strip just above the top of the image which is used to compute the offset value (col. 23, line 64 – col. 24, line 7). It would have been obvious to one skilled in the art at the time the invention was made to combine the above teaching of Huttenlocher to the system in Dubbels since Huttenlocher also teaches a request for obtaining a resource from a server, discrimination of different formats and means for generating print data to be printed wherein the resource is written in HTML (Fig.10).

Claims 6-9 are method claims of apparatus claim 1-5. Claims 6-9 are rejected as claims 1-5.

Concerning claim 10, Dubbels et al in view of Huttenlocher et al discloses a recording medium for recording a program for controlling a printer comprises module for performing the operations as discussed in claim 1 above.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Ukelson (US Patent No. 6,338,096) discloses a system for supporting HTML web browser in providing HTML data format and HTTP protocol from variety of data sources.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 8:30-6:00.

Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.



Madeleine AV Nguyen  
Primary Examiner  
Art Unit 2622

AV  
September 27, 2002